

GOVERNMENT OF ANDHRA PRADESH  
A B S T R A C T

Arbitration - SUITS – Settlement of Arbitration Award dt.20-11-1989 in respect of the work relating to “providing lining for bed and sides slopes of Darsi Branch Canal from M 2/3 to M 2/4, Nagarjunasagar Right Canal vide Agt.No.9-SE/1982-83 awarded to Sri K. Venkateswarlu, Contractor - Sanction of an amount of Rs.71,519/- as full and final settlement – Orders – Issued.

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IRRIGATION & C.A.D. (ARB.) DEPARTMENT.

G.O.(Ms.) No. 286

Dated the 03<sup>rd</sup> November, 2009.

**Read the following:-**

1. From Sri K.Venkateswarlu, Guntur, repn.dated nil.
2. From the C.E.(FAC), N.S.Project, Camp Office, Guntur, Lr.No.CE/NSP/GNT/OT2/AE1/2220/89, dt. 21-08-2008.
3. Govt.Memo.No.17702/ARB/08,I & CAD Dept., dated 17-10-08.
4. From the ENC, Med.Irrgn., I & CAD Dept., Hyd., Lr.No.ENC/Med/DCEIII/OT1/ARB-11/2008, dated 03-01-2009 & 21-01-2009.
5. From the C.E., N.S.Project, Camp Office, Guntur, Letter No.CE/NSP/GNT/CO/OT2/AE1/2220/98, Dated 16-09-2009.

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**ORDER:**

Sri K. Venkateswarlu, Contractor, in his representation first read above, has stated that the work “providing lining from M 2/3 to M 2/4 of Darsi Branch Canal” Prakasam District was awarded to him. During the course of the execution of the work certain disputes have arisen between the parties. These were referred to the Sole Arbitrator. The Arbitrator passed the award during the year 1990. Against the said award Govt. filed O.P. No.11/1990 to set aside the award and he has filed O.P. to make the award rule of court on the file of Subordinate Judge, Markapur. By a common order dt.07-08-1993, the O.P. filed by the Dept. was dismissed and O.P. filed by him was decreed. Aggrieved by this, Govt. filed CMA No.1745 of 1993 against O.P. No.11/90 and CRP No.4191/93. As he was facing financial problems, he requested to settle the case amicably so as to put an end to the long pending litigation. He was expressing his willingness for amicable settlement.

2. Based on the directions of the Hon’ble High Court of A.P. in C.R.P.No.4191 of 1993 and C.M.A.No.1745 of 1993, dated 19-06-2007 and as per the representation of the Contractor, the case has been referred to the Conciliation Committee for Rayalaseema Region for negotiation with the contractor vide Govt. Memo. third read above.

3. The ENC (Med.Irrgn.), Hyderabad, in the letter fourth read above, has furnished the report of the Committee dated 08-12-2008 along with the affidavit of the contractor. Wherein, after negotiation with the contractor, the Conciliation Committee for Rayalaseema Region, has recommended for an amount of Rs.71,519/- as full and final settlement of the Arbitration Award.

**P.T.O.**

4. In compliance of the directions of the Hon'ble High Court of A.P. dated 19-06-2007, the Principal Secretary to Govt., I & CAD Dept. has conducted final conciliation with the contractor on 03-01-2009 and settled the Arbitration award for an amount of Rs.71,519/-. Accordingly, the Engineer-in-Chief (Med.Irrgn.), Hyderabad, has obtained and furnished the undertaking submitted by the contractor. Wherein, the contractor has agreed on the net conciliated amount of Rs.71,519/- and declared that he will withdraw all his legal proceedings in High Court of A.P. or in any other Courts, if the said amount including interest amounting to Rs.71,519/- is paid to him in token of settlement of the arbitration claims pending in courts in this case.

5. After careful examination of the matter, Government hereby sanction an amount of Rs.71,519/- (Rupees seventy one thousand five hundred and nineteen only) as full and final settlement of the Arbitration Award dated 20-11-1989 in respect of the work relating to "providing lining for bed and sides slopes of Darsi Branch Canal from M 2/3 to M 2/4, NSRC, awarded to Sri K. Venkateswarlu, contractor vide L.S. Agt.No.9-SE/1982-83.

6. The amount sanctioned in para ( 5 ) above shall be debited to the following Head of Account: MH 2701 – 101 – NSP – 01 – MIC – G.H – 11 Normal State Plan – S.H 27 C & D".

7. The Chief Engineer, Nagarjunasagar Project, Guntur, is directed to arrange to pay the amount sanctioned at para ( 5 ) above to Sri K. Venkateswarlu, Contractor, duly deducting the amounts that are recoverable on whatsoever account from him.

8. This order issues with the concurrence of Finance (W&P) Dept. vide their U.O.No.4098/F2(1)/09-1, dated 29-10-2009.

( BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH )

S.P.TUCKER,  
PRINCIPAL SECRETARY TO GOVERNMENT.

To

The Chief Engineer, Nagarjunasagar Project, Camp Office, Guntur.

The Pay & Accounts Officer, Hyderabad.

The Director of Works Accounts, A.P., Hyderabad.

Sri K.Sankaraiah, R/o.Peddapadu Village,Kaligiri Mandal,  
Nellore District.

Copy to:

The Engineer-in-Chief, Medium Irrigation, I & CAD Department,  
Jalasoudha Building, Errum Manzil, Hyd.

The I & CAD (P&B) Department.

The Finance (W&P) Department. (with a request to release LOC  
for the sanctioned amount).

The Accountant-General, Andhra Pradesh, Hyderabad.

The Learned Advocate-General, High Court of Andhra Pradesh,  
High Court Buildings, Hyderabad.

The Government Pleader for Irrgn., High Court of Andhra Pradesh,  
High Court Buildings, Hyderabad.

S.F. S.Cs.

// FORWARDED :: BY ORDER //

SECTION OFFICER.